

REMARKS

Objections to the Specification

The abstract is objected to for improper usage of registered trademarks. Applicants hereby submit an amended abstract correcting all such incorrect usage in accordance with the Examiner's requests.

Rejection under 35 U.S.C §102

Claims 1-4, 8 and 9 stand rejected under 35 U.S.C. 102(e) as being anticipated by the "enFuzion 6.0 User Guide" of March 2000 ("*enF2000*"). In particular, the Examiner finds that, with regard to claim 1, *enF2000* discloses all of the claimed limitations at pages 4-7. Applicants have reviewed the reference with care, paying particular attention to the pages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference.

The portion of *enF2000* cited by the Examiner details the installation of the enFuzion program on host computers from a central location through the use of a netsetup program. This program "[i]nstalls enFuzion executables from source directory to destination directory on hosts specified in file 'enfuzion.nodes'." Thus, Applicants understand the Examiner's reading of the reference to be that the copying of the enFuzion executable files to the destination directory on the host machine corresponds to the claimed "associating an executable file from a shared resource on the LAN with the remote PC client at the direction of an administrator console on the LAN." However, claim 1 further specifies "the executable file being adapted for controlling a local setup procedure under the form of a low level service which is available in the operating system of the client for local background tasks and routines." There is nothing in the entire *enF2000* document that can be understood as teaching that the enFuzion executables are adapted for controlling a local setup procedure under the form of a low level service which is available in the operating system of the client for local background tasks and routines. The only description in the entire *enF2000* document of these executables is limited to: "setup.exe and other enFuzion files from enFuzion.ZIP package." (page 4, middle of the page).

Claim 1 further recites “starting said executable file so that it becomes available to said remote client as a local low level service and permits the automatic launching of a local setup procedure.” Applicants cannot even guess at what the Examiner finds in *enF2000* to correspond to the claimed *local* setup procedure, given that the enFuzion executables copied from the source_dir are intended to read upon the claimed executable file. Furthermore, there is also no description nor allusion to launching setup.exe or any of the other enFuzion files so that it becomes available to said remote client as a local low level service. Applicants respectfully submit that they cannot adequately answer the Examiner’s allegation until the Examiner, in accordance with 37 C.F.R. 1.104(c)2, clearly and specifically points out where each and every claimed limitation is disclosed. Applicants have reviewed with great care the entire enF2000 document but simply cannot find any disclosure of the above-noted claim limitations.

Applicants thus respectfully submit that the Examiner’s reading of the *enF2000* document is overly broad, and request him to kindly reconsider and pass claim 1 to issue.

Claim 2 contain the same novel limitations discussed above, and not taught by the prior art. Applicants thus respectfully submit that for the same reasons advanced above, claim 2 is also novel and patentable.

Claims 3 and 4 depend from claim 2, and Applicants submit that at least for this reason these claims are also patentable and are therefore not individually addressed herein.

Claim 8 recites, *inter alia*, the executable file controlling the local setup procedure of a software application in unattended mode in accordance with a description defined by a description file present on the shared resource. Once again the Examiner’s broad citation to pp. 4-7 of the *enF2000* document leaves Applicants in the dark as to what the Examiner understands to correspond to the claimed description file. The only files discussed in *enF2000* are the “setup.exe and other enFuzion files from enFuzion.ZIP package,” none of which are described anywhere in the document as being a file containing a description for controlling a local setup procedure in unattended mode on the remote hosts, and the enfuzion.nodes file, which simply contains a list of all the nodes or remote hosts onto which enFuzion is to be installed by the netsetup program. Applicants once again respectfully invite the Examiner to clearly and specifically direct them to the precise disclosure in this document where the Examiner finds each

and every claimed limitation, or else to withdraw this rejection and pass this claim to issue as well.

Claim 9 recites, *inter alia*, that the executable file is installed as an Operating System service, which is then started for the purpose of automatically triggering the execution of the executable file. Applicants fail to identify anything in *enF2000* that could be understood by the skilled reader as teaching that the setup.exe or any of the other enFuzion files from the enFuzion.ZIP package are installed as an OS service on the remote nodes or hosts, nor started to so as to automatically trigger the execution of another executable file. As previously mentioned, Applicants have undertaken a careful review of the *enF2000* document but simply cannot discern any disclosure directed to these claim limitations. Once again, Applicants respectfully request the Examiner to set forth his rejection with greater specificity or else to reconsider and pass this claim to issue.

Rejection under 35 U.S.C §103

Claims 5-7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *enF2000* in view of various other documents. Claims 5-7 depend from claim 2. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claim 1 as applicable to claim 2, Applicants submit that claim 2 is novel and patentable and therefore claims 5-7 are also allowable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

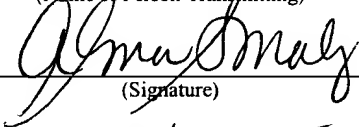
I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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Alma Smalling

(Name of Person Transmitting)

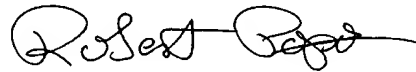


(Signature)

10/28/05

(Date)

Respectfully submitted,



Robert Popa

Attorney for Applicants

Reg. No. 43,010

LADAS & PARRY

5670 Wilshire Boulevard, Suite 2100

Los Angeles, California 90036

(323) 934-2300 voice

(323) 934-0202 facsimile

rpopa@ladasparry.com